

Michael F. Ram (SBN 104805)
mram@forthepeople.com
Marie N. Appel (SBN 187483)
mappel@forthepeople.com
MORGAN & MORGAN
COMPLEX LITIGATION GROUP
711 Van Ness Avenue, Suite 500
San Francisco, CA 94102
Telephone: (415) 358-6913
Telephone: (415) 358-6293

Benjamin R. Osborn (*Pro Hac Vice*)
LAW OFFICE OF BENJAMIN R. OSBORN
102 Bergen St.
Brooklyn, NY 11201
Phone: (347) 645-0464
Email: ben@benosbornlaw.com

Attorneys for Plaintiffs and the Proposed Class

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MEREDITH CALLAHAN and LAWRENCE
GEOFFREY ABRAHAM, individually and on
behalf of all others similarly situated,

Plaintiffs,

vs.

PEOPLECONNECT, INC., a Delaware
Corporation,

Defendant.

Case No.: 3:20-cv-09203-EMC

**PLAINTIFFS' UNOPPOSED MOTION TO
LIFT STAY**

Complaint Filed: Dec. 18, 2020

1 Plaintiffs respectfully move this Court to lift the stay put in place pending the Ninth
2 Circuit's decision on PeopleConnect's appeal of this Court's denial of PeopleConnect's motion
3 to compel arbitration. Defendant's counsel informed Plaintiffs they do not oppose Plaintiffs'
4 motion to lift the stay.

5 Plaintiffs also respectfully request that the Court schedule a case management
6 conference. Defendant's counsel informed Plaintiffs they agree that a case management
7 conference should be scheduled in short order. Counsel for defendant is on trial in a different
8 matter the week of April 18. Accordingly, Plaintiffs respectfully request the Court schedule a
9 case management conference on the nearest available date on or after Monday, April 25.

10 In support of its motion to lift the stay, Plaintiffs state as follows:

11 1. On May 18, 2021, this Court denied PeopleConnect's motion to compel
12 arbitration. ECF No. 26.

13 2. On June 16, 2021, PeopleConnect filed a Notice of Appeal. ECF No. 47. The
14 appeal was docketed before the Ninth Circuit as *Callahan v. PeopleConnect, Inc.*, No. 21-16040
15 (9th Cir.).

16 3. On December 19, 2021, Plaintiffs moved to stay this case pending the Ninth
17 Circuit's decision in PeopleConnect's appeal. ECF No. 86. This Court granted the motion the
18 next day. ECF No. 88. In the motion to stay, Plaintiffs wrote that they "anticipate moving to lift
19 the stay promptly once the Ninth Circuit decides PeopleConnect's appeal." ECF No. 86, at *1.

20 4. On March 18, 2022, the Ninth Circuit affirmed this Court's denial of
21 PeopleConnect's motion to compel arbitration. ECF No. 92.

22 5. On April 11, 2022, the Ninth Circuit issued its Mandate, pursuant to which the
23 judgment of the Ninth Circuit takes effect. ECF No. 94.

1 Because the Ninth Circuit has decided and resolved PeopleConnect's appeal of this
2 Court's denial of the motion to compel arbitration, Plaintiffs respectfully request the Court lift
3 the stay.

4
5 Respectfully submitted,

6 Dated: April 11, 2022

By: /s/ Benjamin R. Osborn

7
8 Benjamin R. Osborn
(admitted *Pro Hac Vice*)
9 LAW OFFICE OF BENJAMIN R. OSBORN
10 102 Bergen St. Brooklyn, NY 11201
Telephone: (347) 645-0464
11 ben@benosbornlaw.com

12 Michael F. Ram (SBN 104805)
mram@forthepeople.com
13 Marie N. Appel (SBN 187483)
mappel@forthepeople.com
14 MORGAN & MORGAN
15 COMPLEX LITIGATION GROUP
16 711 Van Ness Avenue, Suite 500
San Francisco, CA 94102
17 Telephone: (415) 358-6913
18 Facsimile: (415) 358-6923

19 *Attorneys for Plaintiffs and the Proposed Class*
20
21
22
23
24
25
26
27
28

[~~PROPOSED~~] ORDER.

The Court hereby GRANTS Plaintiffs' motion to lift the stay presently in place.
**Initial Case Management Conference set for May 10, 2022 at 2:30 p.m. Joint Case Management
Conference due May 3, 2022.**

Dated: April 11, 2022



Hon. Edward M. Chen
United States District Judge